

INTERVIEW SUMMARY UNDER 37 CFR §1.133 AND MPEP §713.04

A telephonic interview in the above-referenced case was conducted on March 28, 2005 between the Examiner and the Applicants' undersigned representative. The Final Office Action mailed on January 4, 2005 was discussed. Specifically, the rejection of claims 1-14 in light of Sorkin et al. and Application 09/615,967 was discussed. It was noted that neither of these references contain the specification of the instant application in its entirety. The Examiner indicated that for that reason the finality of the Office Action would be removed and a new Office Action issued. The Examiner also suggested that applicants review Groshon et al. (U.S. Patent No. 6,351,811), cited but not relied on in the January 4, 2005 Final Office Action, in light of the claims. The Applicants wish to thank the Examiner for his time and attention in this case.

REMARKS

Claims 1-14 are pending.

The Examiner has indicated that US. Patent Application No. 09/615,697 is unrelated to the instant application. Applicant notes that there was a typographical error in Amendment B and that the Application No. should have read "09/615,967", as recited in the Preliminary Amendment filed August 30, 2000. The specification is amended above to make clear that Application No. 09/615,967 is incorporated by reference.

The Examiner has indicated that the provisional application 60/151,531 upon which priority is claimed fails to provide adequate support under 35 U.S.C. 112 for claims 1-14. The specification has been amended to remove this priority claim.

The Examiner has rejected claims 1-14 under 35 U.S.C. 102(e) as being anticipated by Sorkin et al. and Application 09/615,967. As noted during the interview, neither reference contains the specification of the instant application. In addition, the Groshon cited reference has been considered and does not describe "an analysis engine configured to compare the computed file signature to the first file signature and the second file signature; determine the file is legitimate if the computed signature matches both the first file signature and the second file signature; and either identify the file as suspicious or subject the file to further analysis if the computed signature does not match the first file signature, the second file signature, or both", as recited in claim 1. As such, claims 1-14 are believed to be allowable.

It is respectfully requested that the Examiner consider the references listed in the IDS filed concurrently herewith. The concurrently filed IDS is filed under 37 CFR 1.97(c) in the expectation that the finality of the January 4, 2005 Office Action will be withdrawn as indicated in the above-referenced March 28, 2005 interview.

Reconsideration of the application and allowance of all claims are respectfully requested based on the preceding remarks. If at any time the Examiner believes that an interview would be helpful, please contact the undersigned.

Respectfully submitted,

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